

# **MINUTES**

## **City of Carrollton Mayor and Council Meeting**

### **September 8, 2014**

#### **6:00 p.m.**

**Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia**

#### **I. CALL TO ORDER**

The Mayor and Council met in a re-scheduled session on Monday, September 8, 2014 in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m. Members present: Mayor Wayne Garner, Councilmember Gerald Byrd, Councilmember Mandy Maierhofer, Councilmember Mike Patterson and Councilmember Jim Watters.

#### **II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Garner.

#### **III. INVOCATION**

Miss Annie Boykin offered the invocation.

#### **IV. MINUTES (July 7, 2014)**

**Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to approve the minutes of the July 7, 2014 meeting as presented. (Motion passed 5-0).**

#### **V. CITIZEN COMMENTS**

Keisha Yancey, 212 Chancery Lane (Bristol Lakes), provided a signed petition requesting speed bumps in the Bristol Lakes complex. Ms. Yancey also advised that residents were requesting another school bus stop in the complex. Mayor Garner accepted the petition and advised staff would review the request. In regards to the bus stop, Mayor Garner advised that she would need to discuss the matter with the Carrollton City School Board and requested Police Chief Joel Richards assist her with making contact.

Annie Boykin, 149 Carter Street, reported that her neighbors hedges were over nine feet high and she wanted them cut down, adding they were causing mosquito problems. Assistant City Manager Tim Grizzard responded that he had contacted the property owners of the property and requested they cut the hedges. Assistant City Manager Grizzard stated that the City was prepared to cut the hedges if granted permission by the property owner, but the property is owned by several family members and they were not all in agreement to permit the hedges to be cut. Ms. Boykin requested the City look into the matter again. Mayor Garner requested staff to seek resolve to the issue and address the mosquito problem.

Female Resident (Mother of Keisha Yancey), 212 Chancery Lane (Bristol Lakes), requested the City secure the property adjacent to Bristol Lakes that has a lake without security measures in place. The female resident stated that a child had recently been rescued after falling into the lake and she was very concerned about other small children wandering down to the lake. Mayor Garner advised that City staff would contact the property owner and require them to secure the area around the lake. Councilmember Byrd encouraged Bristol Lake residents to "keep an eye" on small children.

Rosa Myers, 146 Chancery Lane (Bristol Lakes), requested help from the City in regards to the trash/dumpster receptacles at the Bristol Lakes complex. Ms. Myers stated she would like to see individual trash receptacles for each unit and stated she has tried to do her part (and more) in trying to keep the area clean. Ms. Myers noted that she had tried to get other residents involved in keeping the grounds clean and would like to see involvement from the City in possibly holding a community type event to clean up and motivate residents. Mayor Garner, Councilmember Watters and Councilmember Byrd agreed to support Ms. Myers efforts in cleaning up the neighborhood in any legal manner in which the City could assist. City Manager Coleman advised Ms. Myers that she could find more information about the definition of "offensive dumping" on the City website under the Code of Ordinances link.

Cyle Bohannon, 112 Spring Street, stated she lived across the street from the library and also served on the Library Board. Ms. Bohannon expressed appreciation to the Mayor and Council for all the support given to the library over the years. Ms. Bohannon inquired to the status of the preliminary plans that had been discussed within the last year in regards to improving, expanding and renovating the existing library. Ms. Bohannon stated that the Library Board needs to know if the City is going to assist in efforts to expand, as the library is in dire need of more room and will need to develop another plan if the City is not going to assist. Councilmember Patterson stated that he had been involved initially and had met with Director Roni Tewksbury and began researching the matter. Mr. Patterson stated he had not had the opportunity to meet with the Mayor and Council to discuss the City's role in the expansion. Councilmember Patterson agreed that there was a need for an expansion and he would make certain the matter gets re-visited with the Mayor and Council in the near future.

## **VI. ITEMS OF DISCUSSION**

### **1. Resolution 09-2014: Traffic and Vehicle Code**

City Manager Casey Coleman presented Resolution 09-2014 proposing to amend Chapter 90 (Traffic and Vehicles), Article III (Traffic Schedules) and creating Section 90-61 for prohibiting stopping, standing or the parking of vehicles in certain areas of the City. City Manager Coleman stated that currently our Code does not prohibit the stopping, standing, or parking of vehicles in certain specified places where such stopping, standing, or parking of vehicles is currently prohibited by state law. City Manager Coleman stated that Police Chief Joel Richards has recommended changes to our Code to comply with state law.

**Motion by Mayor Garner, seconded by Councilmember Patterson to adopt Resolution 09-2014 amending Chapter 90 and creating Section 90-61 as presented. (Motion passed 5-0).**

### **2. Resolution 11-2014: Abatement of Nuisances**

City Manager Coleman presented Resolution 11-2014 proposing to amend Section 50-30 (Abatement of Nuisances), in respect to notices requiring the abatement of nuisances in the City Code of Ordinances. City Manager Coleman stated that the Code currently provides for a thirty-day period to remove or remedy nuisances. City Manager Coleman stated that the City is experiencing a growing number of nuisances, some of which should be removed or remedied more quickly than thirty days. The amendment gives the City Manager (or his designee) greater discretion and more flexibility when it comes to designating a time period for removing or remediating nuisances.

**Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to adopt Resolution 11-2014 amending Section 50-30 (Abatement of Nuisances) in regards to notice requirements as presented. (Motion passed 5-0).**

### **3. Ratification of Tax Collection Contract with Carroll County**

City Manager Coleman presented the contract with the Carroll County Board of Commissioners for the billing, printing, mailing, and collection of City and City schools ad-valorem taxes for a three year period beginning with the billing of the 2014 ad-valorem taxes and ending with the billing of the 2016 ad-

valorem taxes. The total cost of the contract is \$6 per parcel and includes all of the services mentioned. The school board will reimburse the City 80% of the cost based on their pro-rata share of the school board's millage rate to the total millage rate levied for City and City Schools maintenance and operations for each of the three years. The County has been billing and collecting City ad-valorem taxes for the City since 1994.

**Motion by Councilmember Maierhofer, seconded by Mayor Garner to approve the three year contract with the Carroll County Board of Commissioners to bill and collect ad-valorem taxes for the years 2014, 2015, and 2016. (Motion passed 5-0).**

#### **4. Proposed Changes to the Carrollton Main Street Program**

City Manager Coleman requested the Mayor and Council consider making some changes to the Main Street Program and By-laws. City Manager Coleman noted that there were presently three vacancies on the nine member board, adding that he felt nine members were just too many. City Manager Coleman requested the board be reduced to a five member board. City Manager Coleman requested that the Mayor and Council change the By-laws to reflect that potential members for the Main Street Board of Directors are recommended to the Mayor and Council from a vote of the Main Street Members, and not the Main Street Board of Directors, as it currently reads. City Manager Coleman stated that with the current vacancies, he would propose to remove the existing Board of Directors from office, and have the Main Street membership nominate five members of Main Street to serve on the Main Street Board of Directors. City Manager Coleman also advised that the City Auditors had recommended moving the fiduciary and accounting function from the Main Street Board/Program to the City Finance Department. City Manager Coleman stated this accounting move would have no effect on how the Main Street Board spends the funds that they raise, but will have a clearer accounting of how they spend it.

At this time, Mayor Garner opened the floor for public comments on the item.

Jacqueline Dost spoke on behalf of the Carrollton Main Street Board of Directors and stated the Board disagrees with the proposed changes. Ms. Dost reviewed the history of the Main Street Program and its success, citing numerous awards received since 2009. Ms. Dost reported that the Main Street By-laws reflect that the Main Street Board of Directors is comprised of the following members: downtown property owners, other business persons, heads of neighborhood organizations, recognized community leaders, local civic organizations, the arts community, preservation or historic society members and interested citizens.

Ms. Dost stated the Mission of Carrollton Main Street was to promote and strengthen downtown Carrollton by providing active support, leadership, incentives, resources and opportunities which result in preservation, beautification and quality economic growth and development. Ms. Dost stated the proposed changes to the program could not be better met by reducing the number of Main Street Board Members. Ms. Dost stated nine members are needed to be a good working board.

Ms. Dost expressed concern that the changes would violate the By-laws of the nonprofit corporation that governs Carrollton Main Street and could jeopardize the Carrollton Main Street Program's standing with the Georgia Main Street Program. Ms. Dost requested the Mayor and Council sit down and discuss the proposed changes with the Board prior to making any changes.

Councilmember Maierhofer inquired to whom actually hires and pays the Main Street employees. City Manager Coleman responded that the City of Carrollton hires and pays the Main Street employees. Councilmember Maierhofer stated she understood the City Auditor requesting that the funds be accounted for and handled by the City and also understands the issues with having a large Board of Directors.

**Being no further discussion, motion by Councilmember Maierhofer, seconded by Councilmember Byrd to approve the changes to the Main Street Program and By-laws as requested (Remove the existing Main Street Board of Directors, amend the By-laws to reduce**

**the number of Board Members to five, amend language to reflect in the By-laws that Main Street Board Members nominations shall be elected by the Main Street Membership; and the fiduciary responsibilities of the Main Street Program shall be transferred to the City of Carrollton Finance Department.). (Motion passed 3-2 with those voting in favor: Mayor Garner, Councilmember Byrd and Councilmember Maierhofer; with those voting opposed: Councilmember Watters and Councilmember Patterson).**

**5. Appointments: Carroll County Library Board (2)**

**Motion by Mayor Garner, seconded by Councilmember Byrd to re-appoint Ms. Cyle Bohannon to an additional term (new term expiring June 30, 2017) and appoint Ms. Robin Collins (replacing Ms. Sue Medeiros) (term expiring June 30, 2017) to the Carroll County Library Board. Motion passed (5-0).**

**VII. MAYOR AND COUNCIL ANNOUNCEMENTS**

**Councilmember Byrd** expressed appreciation to Councilmember Watters, Police Chief Richards, Mayor Garner, City Manager Coleman, the Police Department, church members and friends for taking care of the family members of Nizzear Rodriguez and the residents of the Bristol Lake complex. Councilmember Byrd offered assistance to Councilmember Watters in organizing community projects at the Bristol Lake complex. Councilmember Byrd announced that Sunday, September 21, 2014 "A Night of Change" memorializing Nizzear Rodriguez would be held at the Amp and encouraged everyone to come. Councilmember Byrd thanked Main Street and the City Manager for their help with the event.

At this time Councilmember Maierhofer excused herself from the meeting.

**Councilmember Patterson** thanked the Police Department and City staff for all the work on the Nizzear Rodriguez murder investigation. Councilmember Patterson recognized Boy Scout Troup 179 of the Carrollton Presbyterian Church in attendance at the meeting. (Scouts attending with Assistant Scout Master - Stephen D. Ward: Jared Camp, Justin Camp, Joshua Cole, Garreth Hoffman, Nick Ward, and Stephen Ward.)

**Councilmember Watters** thanked Bristol Lake residents and homeowners for their cooperation with the Police Department and thanked Councilmember Byrd for his help during this tragic time in the community.

**Mayor Garner** thanked Councilmember Watters for all his efforts the last couple of weeks in his Ward and offered the full support of the Mayor and Council in helping the Bristol Lake residents.

**VIII. CITY MANAGER ANNOUNCEMENTS**

There were none.

**IX. ADJOURN**

There being no further business to discuss, Mayor Garner adjourned the meeting at 6:45 p.m.

The Agenda for a Mayor and Council Meeting is available for review in the City Manager's Office, 315 Bradley Street, Carrollton, Georgia and the City's website, [www.carrollton-ga.gov](http://www.carrollton-ga.gov) after 4:00 p.m. on the Friday prior to each Council Meeting. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (770) 830-2000 from 8:30 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. A summary of Agenda items acted upon is available within 48 hours of the meeting at the address and website listed above. Minutes to any previous meeting (once adopted) are available upon request or available on the website listed above.